

DISTRICT V ADVISORY BOARD
MINUTES
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March 1, 2004
7:00 p.m.

Auburn Hills Golf Course Clubhouse
443 S. 135th West

Nine (9) District Advisory Board Members attended the District V Advisory Board meeting. Six (6) City Staff and approximately 50 members of the public were present (with 34 signing the guest list).

Members Present

David Almes
Bob Bulman
David Dennis
Maurice Ediger
Andy Johnson
John Marker
DeAnn Sullivan
Ann Welborn
Steve Winslow
Council Member Bob Martz

Staff Present

Lee Eisenbise, Police
David Wertz, Police
Rob Younkin, Public Works
Jack Brown, Environmental Health
Don Henry, Environmental Health
Dana Brown, City Manager's Office

Guests

Listed on page 8

Members Absent

Sean Cash
Matt Schippers
Jordan Hudson

ORDER OF BUSINESS

Call to Order

Council Member Bob Martz called the meeting to order at 7:10 p.m. and welcomed the public. He explained that the role of the District Advisory Board is to advise him as the City Council Member of District V. The Council Member said that the Board reviewed both citywide and Council District V issues and took comments from the public on all agenda items. He asked that the public present their comments in an appropriate manner & respond to any other comments or actions with courtesy.

Approval of Minutes and Agenda

The minutes for February 2, 2004 were approved as corrected by a vote of 9-0 (**Johnson/Almes**). The Agenda was also approved.

Public Agenda

This portion of the agenda provides an opportunity for citizens to present issues that are not part of the regular agenda for the meeting.

The public presented no items.

Community Police Report

Lee Eisenbise, Community Police Officer for Beat 18, reported on concerns for District V. He said that a detective had been assigned to investigate the incidents with BB guns recently reported in the media; youth are suspected.

An additional concern with youth is alcohol use. In an effort to address the issue, special emphasis will be given during spring break to target liquor stores and home areas where underage drinking is reported or suspected.

Auto larcenies continue to occur regularly. And theft of equipment and tools at construction sites are commonly reported.

Officer Eisenbise then reminded everyone to call 911 with concerns, emphasizing that the information is helpful for police in solving and deterring crimes.

A **resident of Evergreen Street** reported that traffic on the street is a concern between 3:00-3:30 p.m. each day, about the time that school gets out. The resident said he had reported the issue three times to police and each time, he was told that a NOTE (Neighborhood Oriented Traffic Enforcement) would be opened for the area. The resident did not know the officers' names. **Officer Eisenbise** advised the resident and all citizens in attendance to always get the officer's name. He said that he would report this to the Beat Coordinator in that area and they would try to set up the radar trailer along the street to bring attention to speeds and also collect information about the speed of vehicles in the area.

Councilmember Martz said that he had received a call from a resident about an untagged trailer parked on Summitlawn. He asked about the weight requirement for tagging a trailer to which **Officer Eisenbise** said 2,000 pounds.

Action: Receive and file

Transit Re-Certification

Michael Vinson, Wichita Transit, presented information on the need to re-certify users of the paratransit van service who are unable to independently access or use fixed route transit, as a result of a physical or cognitive disability. Vinson explained that Transit had offered the curb-to-curb service since 1992 during regular bus system hours. The federal government dictates how the service is provided and the qualifications of persons who may ride. Wichita Transit has not updated the certification process in several years. As a result, service has grown by 322% and the operation budget has been exceeded 12%. Vinson noted that this is happening in most all communities with mass transit. He also noted that other comparable services are currently available in the community and that use of all opportunities would be more fairly distributed through the re-certification.

Dennis asked the projections for the first year's savings to which **Vinson** pointed out the information in the handout showing \$66,000. **Dennis** asked how that savings would be used to which **Councilmember Martz** explained that "savings" had a different meaning in this situation in that it was not a pool of money to do something else with but rather a reduction in expenditures being provided from other sources. **Dennis** asked what happens with the third party contractor after three years—would they be retained or would that end their contract? **Vinson** said that the work would be evaluated and a contract would be continued with either that provider or another. He explained that the re-certification process must continue with each qualified rider being re-certified every three years.

Bulman asked why the costs differed in the agenda report and the attached staff report. **Vinson** said he was not able to address the difference. He said that the highest savings for operation is expected after three years with an immediate margin of savings through a reduction in the number of people who previously qualified. He explained that the service costs had increased tremendously with the 40,000 currently certified as eligible.

Dennis stated that since the savings is an estimate, if the amount is different than expected, would the City review the use of contractor? **Vinson** responded that a standard process is followed through City management and City Council. **Dennis** asked if an appeal process is available to which **Vinson** said yes, as required by the federal government.

Almes (Sullivan) moved that the Board support the proposed recertification. **Ediger** asked **Bulman** if he was satisfied with the motion; **Councilmember Martz** followed with a question about whether **Bulman** wanted to amend the motion to reduce the budget by the savings? **Bulman** said no, he did not want to

change motion. **Vinson** clarified that the savings would be only the reduction in the amounts that is currently required to provide the service. **Sullivan** noted that the expenditures appeared to be 12% over the budget so the 10% expected savings would help bring the expenditures closer to the budgeted amount.

Councilmember Martz asked for the vote and motion passed 9-0 to support the proposal.

Action: Support approval of the proposed plan for recertification, as presented.

Public Works Agenda

Proposed Sanitary Sewer Main

Rob Younkin, Public Works, presented a Capital Improvement Program project that proposes construction of a sewer main project to extend sanitary sewer service to an area generally bounded by the Wichita Valley Center Flood Control Ditch, the Kansas Southwestern Railroad Tracks and 25th Street. He said the extension is a result of recommendations from a service study of a large area in the Northwest known as Basin Four. The study is a joint effort of the departments of Public Works, Water & Sewer, and Metropolitan Area Planning.

Younkin said the area was primarily commercial with a small area of older homes located west of Hoover & north of 21st. He said that a 15-year bond is proposed instead of a 20-year bond due to the current cost of assessments for individual properties being 4 ½ cents per square foot. Younkin said that waiting or extending the life of the bond could increase the cost. He noted that State statute allowed the City to order in sewer.

Bulman asked about serving the large area to the northeast to which **Younkin** said it was currently in the county and would be served eventually but not part of this project. **Almes** asked how many feet of line would be required for residents in the northwest area based on the proposed main extension. **Younkin** responded that it would depend on the location, as several ways would be possible, noting that the hook-up doesn't always have to connect with the main—the laterals could be used instead.

Sullivan asked if the main couldn't just go straight up Hoover, as it appeared to be less distance and therefore, less expense for the residents. But **Younkin** explained several factors that prevented this option: other utilities lay to the northern area and follow Hoover; the ground water is deeper in the proposed route so the laterals can be constructed at a more shallow depth; and no street would need to be reconstructed. **Sullivan** asked if the sewage would flow uphill or downhill to which **Younkin** said the ground would lead you to believe it would be uphill but due to the depth of the line, the result will create a downhill flow.

Councilmember Martz asked the public if they had comments; none were given.

Bringing the item back to the Board, **Bulman** stated that the Hoover sloped is minimal between 21st and 25th streets. **Younkin** explained that main would need to be centered in the area to keep the laterals at an effective depth. Otherwise, a lift station may be required which would cost more for the property owners. With waterlines, Younkin said, that might be a factor but sewer lines operate on gravity.

Sullivan asked if people in the area were notified and **Younkin** said that certified letters were sent last week.

Bulman said that numbers don't match on the labeling of the properties. **Younkin** said that when a property is platted, it is given a number by the County that differs from the number given by the City.

Nick Mork, resident, spoke saying he had just purchased a property in the area that is residential but sits on a large property. He wondered if the cost of hookup would be assessed on the entire area, or if he might have an agricultural deferral due to the size of the property. **Younkin** referred him to the information in the letter, saying that a large enough property allowed the deferral for 15 years and then

another deferral is possible for an additional 10 years. He said that by then, Mork might have built his “dream home” on the property and want sewer plus the agricultural deferral period will be over.

Bulman asked why the City didn’t have an overall plan for sewer construction throughout the city. **Younkin** said it couldn’t be currently done due to all of the Improvement Districts. He showed how sewer might be constructed in throughout this area but couldn’t be definite until the City receives a petition for service. He added that laterals can be ordered-in also but there must be an existing health risk according to State statute. **Dennis** asked what happens if a resident in the upper northwest corner of the area needs sewer and the others don’t need it. **Younkin** said that the resident could either petition or ask the Environmental Health Department to assess for a health issue; if concerns exist, the City can order the sewer.

A **citizen** asked if the residents could negotiate where the laterals are laid to which **Councilmember Martz** said yes, that it had happened previously. The **citizen** then asked if a non-resident owner who met all qualifications could receive a deferral. **Councilmember Martz** said it was likely but that we’d need to check on that situation. Another citizen asked for clarification on the 4 ½ cents, the cost for the main only to which **Younkin** said the laterals are estimated to cost about \$40 a lineal foot. He also said that sometimes those can be shared and the cost divided. **Councilmember Martz** added that this situation would depend upon the design. **Younkin** also reminded residents that the current assessment figures are estimated on the high side and the actual amounts at the time of assessment could be lower.

Ediger (Almes) moved that the proposed project be approved as presented. Motion passed 9-0.

Action: Recommended approval of the proposed project.

Proposed Sanitary Sewer along Hidden Lakes Road

Rob Younkin, Public Works, presented a proposed sanitary sewer lateral project to serve an area along Hidden Lakes Road, west of Maize. He explained that six homes in the area are on private septic tank systems that have some health concerns, posing a public health risk. A valid sanitary sewer petition among the residents was not successful.

Younkin asked Jack Brown, Environmental Health Department, to explain the issues with the health risks. **Brown** said that a complaint from one area resident about a failing system had brought attention to the need. Brown noted the presentation at last month’s meeting regarding this issue. He said the six residential lots in the designated area have septic systems. The conditions of the area are not favorable for using septic systems due to soil and ground water issues including a history of flooding, shallow ground water, and poorly drained soils. At least one resident is experiencing problems with their on-site septic system and has asked for public sewer extension. Upon evaluation of the area and the septic systems, staff recommended that sanitary sewer be extended to serve these six lots with public sewer. Brown also said that records on the date of installation or history with the septic systems did not exist.

Winslow asked which system was failing and Brown reported the address of 10900 Hidden Lakes Road. **Brown** said the tank was replaced in 1998.

Younkin said the lots are the same size and that lateral hookup should be required for those having problems. He said the cost of connection by a private contractor is estimated by the Office of Central Inspection (OCI) to be \$780. The contractor would lay the connection to the main line that currently exists. A plumbing inspection by OCI is also required but no fee is charged.

Sullivan asked if the laterals could be installed at the side of the road to which **Younkin** said that it would depend on where the utilities currently lay, whether residents would grant permission to the easement that may affect driveways and sprinkler systems, and other such factors. He said that the contractor would need to go through the asphalt road, which will increase the cost for the homeowner.

Councilmember Martz asked if the City could use the same contractor method as was recently used on Socora? **Winslow** added a question on whether a rubber-tired backhoe could be used as it was in the Socora situation? **Younkin** said it would be considered and that the cost estimate is high to allow for many possibilities.

Mildred Amberg, resident of Block 5, Lot #3, stated that she did not want curb & gutter, and that she knew where the waterline lay. **Younkin** said that the Kansas Department of Health & Environment (KDHE) required the water and sewer lines to be laid 10 feet apart, another requirement to consider.

Roger Schmidt, resident of Block 5, Lot #1, said the main sewer line lay directly in back of his home. **Younkin** responded that the connection to the home couldn't connect directly to the main line; it must connect to a lateral.

Resident of Block 6, Lot #2, said he had submitted the request to order in but it seemed like the costs varied quite a bit. **Younkin** said his assignment is to determine the Improvement District to service all at the least possible cost. He also said it's possible that the line could run along the north side of Hidden Lakes Road.

Another **resident** said this project was considered a few years ago and he wondered why it wasn't ordered in at that time? **Councilmember Martz** said the health concerns did not exist then. **Younkin** added that some changes had also been made to how the line could be laid. The resident asked why the City couldn't foresee that these homes would need sanitary sewer as an area surrounded by homes with the service? **Younkin** said the health concerns initiated the order and apparently, those did not exist previously.

A **resident** asked why the laterals could not be laid along the back of the properties where no driveways or streets existed. He said that the easements were all along the back of the homes, noting that this would also eliminate the problem of the contractor blocking streets without notifying the residents.

Sullivan said she found it disturbing that the residents could be forced into using city sewer when they could replace the septic systems twice for the same cost. **Councilmember Martz** said the City's policy is to upgrade to city standard, especially when health concerns exist.

Bulman (Johnson) said that due to his support for the standard that all city residents use city services, he would move to support the proposal to connect the residents in this area to sanitary sewer by using the lowest total cost to homeowners with minimal disturbances. **Winslow** suggested that the City investigate using the easements at the back of the properties. **Bulman** said he would like to see the total costs for each property for both possible options of using front & back areas, based on standard costs. **Younkin** said the cost would vary for each property owner. **Brown** added that like Socora, only the property owners whose systems are a health risk would be required to hook up which would also impact the cost to the homeowner. **Dennis** noted to **Bulman** that additional details were being requested than had been previously.

Dennis (Bulman) amended the motion to add that the proposal be brought back to residents and the DAB after firmer cost figures were determined. Motion passed 9-0. **Ediger** added a request that if the costs are determined by Public Works earlier than the April DAB V meeting that he'd suggest staff meet with the residents as soon as possible rather than waiting until the April meeting.

Action: Approved support for the proposal with the use of the lowest cost method for the residents and that the information be brought back to the residents and the DAB at the next meeting.

Proposed Sanitary Sewer for Evergreen

Rob Younkin, Public Works, presented a third proposal for sanitary sewer. This proposal is intended to serve an area on the east side of Evergreen, between Maple and 2nd Street. He said that single-family homes exist in this area and some have failing private sewer systems that may pose a health risk.

Younkin said two options existed for the site of a new main, either the street of Evergreen, or the back of the lots. He said using the back would depend on factors including if easements are usable without trees obstructing the site, and where utilities are located. These factors would affect the cost.

Younkin asked Jack Brown, Environmental Health, to speak about health concerns for some systems in the designated area. **Brown** said that four of the systems have no records, five are substandard, and two have surfacing sewage. In addition, three are suspected of dumping gray water. **Younkin** noted that both Lots 1 & 29 currently have sanitary sewer.

Dennis asked about the conditions of the options. **Younkin** said that the city could use the easement if the property owners grant the contractor permission, being aware that yards may be torn up as well as laterals affected which would force them to connect.

Bulman asked why information on easements is not brought to the meeting when these projects are presented. A **resident** said he could verify that the easement was at the back of the home and that the east side has constructed laterals. **Younkin** said the back may be the location of preference but factors could exist that may obstruct use of the area. They would need to be identified & considered such as trees, laterals, sheds, etc. The **resident** said that only trees were on the easement. **Councilmember Martz** asked Younkin if more information could be collected and presented at the next meeting to which Younkin agreed to do.

A **resident** asked how the laterals would be constructed if the front was used. **Younkin** said the lateral would have to come from the back around to front. Another **resident** asked Brown if the septic system would have to be removed to which **Brown** said no, only filled in. The **resident** noted that this would be an additional expense and asked if residents should have been told about the situation when purchasing their homes. **Councilmember Martz** said not necessarily. The **resident** asked why the system is being ordered in to which **Councilmember Martz** said it is due to health risks. **Brown** said a State statute commands sanitary sewer system when a health risk is imminent.

A **resident** then said that Health had denied his request for a permit to improve the system. He said that a homeowner could have gray water in their basement due to poor drainage. He noted that the City and the County haven't taken any action to improve the area drainage. He said the City annexed the area 40 years ago and now the cost for sewer is too high. **Younkin** said the estimates also include the hydrant.

Another **resident** said the gas line & phone lines were buried in front of the homes. He said he is happy with the septic systems. He also agreed that residents in the area think the city should address drainage.

Another **neighbor** said that she is happy with the septic systems but they needed to address drainage if manholes will be installed. **Councilmember Martz** said this area is similar to Socora where actual costs were reduced greatly from the estimates originally given.

A **resident** asked if the homeowner could petition to not hook up and what would happen if no one hooks up. **Younkin** said that State statute mandates the hook up if a health risk exists so some will have no choice but to hook up. **Councilmember Martz** said that streets, curb & gutter, and sidewalks could be petitioned.

A **resident** said drainage is very poor behind the house. He also said the road floods during a heavy rain. He said that no one opposes sewer but \$11,000 per property owner is too high. Another **resident** said that all new lateral lines were laid about 5-6 years ago and, at that time, the property owners were told the easement is approximately 25' wide.

Dennis said that this appeared to be the same situation as Hidden Lakes and that the Board should probably have Younkin collect more information and present at the next meeting, the same action for the Hidden Lakes proposal. **Younkin** said the numbers might be different due to a number of factors. **Bulman** said the Board is interested in hearing the information for any feasible method. **Ediger** said the

main issue for the property owners and the Board is recommending that staff contract for the method of construction with the lowest cost. **Dennis** said he didn't think the Board had enough information currently to make a recommendation.

Dennis (Bulman) then moved to defer action until the next meeting when more information is presented. The motion passed 8:1 (**Ediger**).

Younkin asked for clarification on the information needed to which **Councilmember Martz** said that options should be identified to construct the lines with respect to the location of the easements and other utilities.

Action: Recommended deferral of action until April 5 meeting when more details on the specific site situation are reported with associated costs of construction.

Board Agenda

Updates, Issues, and Reports

Report on any activities, events, or concerns in the neighborhoods and/or District V.

DAB Members

Dennis reported on the work of the Fireworks Task Force, saying that the number of members had dwindled from 14 members to seven. Currently, the Task Force is proposing that a referendum be held during the general election to determine the citizens' preference of three options: (1) No fireworks; (2) Safe & Sane fireworks; or, (3) Shoot Anything. The Task Force will present to the Council soon. **Ediger** added that the opinions are very emotionally based.

Dennis then asked several questions as the President of Rainbow Lakes Homeowner Association:

1. How do they get a streetlight? Councilmember Martz said he or staff would check on getting one for Rainbow Lakes Road.
2. Is the Neighborhood Grant Funding still available? Councilmember Martz said no, neither last year nor this year due to the budget constraints.
3. When will the stoplight at 119th & Central been installed? Councilmember Martz said he believed it would be this year. He said other sites in District V have also been selected for stoplights including on Maize Road by New Market Square where traffic exits from the neighborhoods of Aberdeen & Evergreen subdivisions. The developer of the commercial area would help pay for it. The other site at 119th & 21st already has the light installed.

Councilmember Martz said the Board should be aware that the NE corner of 119th Street & 29th is annexed as City now. **Bulman** asked if 119th would be closed when construction begins on 17th to 13th. Staff will check.

Sullivan asked for clarification on ordering in sanitary sewer and whether the property owners have any option to not be part of the project? **Councilmember Martz** said no, not when health issues are identified. He said that part of the confusion seemed to stem from staff not being thoroughly prepared by having accurate, complete information to answer most questions. **Sullivan** asked if a maximum cost could be established as a policy by the City Council to which **Councilmember Martz** said it would be difficult because the Council would be asking taxpayers in general to pay for additional costs for others' infrastructure to access city services.

Councilmember Martz then reported on other items including a new budget process being used this year in which 1-2 hour workshops will be held after every Council meeting in March. Departments will present information on budget needs. In addition, the Council has already had several workshops on a number of other issues. **Ediger** asked if the Council is micro managing, noting that he believed the roles established in the existing form of government should continue with the Council as policy-makers, leaving the City Manager to operate the city. **Councilmember Martz** said he didn't think the Council was

micro-managing but rather gaining information and learning more. For example, he said that we often hear that the “City is in a \$2 million deficit,” but that actually refers to the Reserve Fund, not the General Fund. However, the Reserve Fund must be protected to not fall below a certain level in order to maintain the City’s “bond rating” which allows the City to qualify at a lower interest rate.

Action: No formal action required.

With no further business, **Councilmember Martz** adjourned the meeting, reminding everyone that the next meeting for District Advisory Board V is scheduled for **April 5, 2004**. The meeting will be at Auburn Hills Clubhouse at 7:00 p.m. The meeting was adjourned at approximately 11:00 p.m.

Respectfully Submitted,

Dana Brown, Neighborhood Assistant
City Council District V

Guests

Betty Ladwig	406 N. Jaax 67235
Roy Katzenmeier	11001 Hidden Lake 67209
Larry Paul	11016 Hidden Lake 67209
Jerry Schwartz	156 S. Evergreen Lane 67209
Jo Ann Schwartz	156 S. Evergreen Lane 67209
Delbert Fleming	200 S. Evergreen 67209
Almeda Fleming	200 S. Evergreen 67209
Thomas R. Sorg	140 S. Evergreen 67209
C.A. Lambrechbe	110 S. Evergreen 67209
Don H. Smith	2526 Baytree 67205
Mike Frye	100 S. Evergreen 67209
Jo Ann Frye	100 S. Evergreen 67209
Glenn Hwang	158 N. Evergreen 67212
Mark Smalley	128 N Evergreen 67212
Walter Henning	1746 N. Nevada 67212
Ed Howard	240 N Evergreen 67212
Mark Lane	200 N. Evergreen 67212
Gail Lane	200 N. Evergreen 67212
David M. Wyant	222 N. Evergreen 67212
Jeff Stephenson	126 S. Evergreen 67209
Jason Cox	5338 W. 21 N. 67205
Steve Cox	5338 W. 21 N. 67205
Lydia Haralson	218 S. Evergreen 67209
Nick Mork	2530 Hoover
Marilyn Mork	2530 Hoover
Don Bucy	5727 W. 25 N
Mable Bucy	5727 W. 25 N
Judy Nida	11866 SW 60, Augusta, KS
David Williams	5634 W. 24 N. 67205
Gil Perez	5311 W. 23 N 67205
Kruif Shagy	5333 W. 23 N. 67205
Richard B Pont	5354 W. 23 N. 67205
Carlos Blackwell	1025 Hidden Lake 67209
Roger Schmidt	10900 Hidden Lake Road 67209